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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,356	07/04/2002	Chuen Huei Yang	NAUP0473USA	9624
27765	7590	03/26/2004	EXAMINER	
NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE) P.O. BOX 506 MERRIFIELD, VA 22116			SIEK, VUTHE	
			ART UNIT	PAPER NUMBER
			2825	

DATE MAILED: 03/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/064,356

Applicant(s)

YANG ET AL.

Examiner

Vuthe Siek

Art Unit

2825

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to application 10/064,356 and response filed on 1/20/2004. Claims 1-9 remain pending in the application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being obvious over applicant's admitted prior art (Figs. 1-2) in view of Ikenaga et al. (4,878,177).
4. As to claims 1, 4 and 7, Figs. 1-2 teach partitioning or dividing a semiconductor integrated circuit pattern, where the pattern comprising cells with same shape and a polygon planar positioned between each cell and polygonal planar comprising two parallel horizontal edges and a plurality of vertexes. The prior art Figs. 1-2 describes partitioning utilizing horizontal division and vertical divisions crossing vertexes. Ikenaga et al. teach dividing or partitioning a polygonal planar using two horizontal and vertical division lines passing each vertex of the polygonal planar in two steps process, thereby a number of unit figures is optimal (referred to as minimum) (Figs. 1B, shown polygonal planar item 6; Fig. 3H shown result of dividing process providing optimal number of unit figures) (col. 3-7). Therefore, utilizing the above teachings of Ikenaga et al., it would have obvious to one of ordinary skill in the art at the time the invention was made to

Art Unit: 2825

dividing a polygonal planar by utilizing a horizontal division and vertical line when meeting a vertex providing unit figures being arranged sequentially and horizontally as claimed because this single process would reduce dividing time although it would obtain the same result (optimal number of unit figures).

5. As to claims 2-3, 5-6 and 8-9, Ikenaga et al. teach the unit figures comprising a triangle, rectangle, trapezoid and parallelogram (Fig. 3H, 5); where the method of dividing is used to convert circuit pattern data into input graphic data of a writer, so the writer can use the input graphic data for drawing the circuit pattern on a photo mask or a substrate (col. 3-7).

Remarks

6. The applicant's remarks are persuasive. The new ground of rejection is provided with newly found reference. The teachings of new reference are found the claims obvious.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vuthe Siek whose telephone number is (571) 272-1906. The examiner can normally be reached on M-F (6:30-4:00) 2nd Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Smith can be reached on (571) 272-1907. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Vuthe Siek
March 17, 2004



VUTHE SIEK
PRIMARY EXAMINER